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*Attorneys for Plaintiff*  
ROBERT A. SLOVAK, individually and  
as Trustee of the SLOVAK FAMILY 1991 TRUST

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

ROBERT A. SLOVAK, individually and as  
Trustee of the SLOVAK FAMILY 1991 TRUST,

Plaintiffs,

v.

LYNN WHEELER, aka LYNN SLOVAK, aka  
LYNN DORRINGTON, aka LYNN REARDON,  
aka LYNN ARLIDGE,

Defendant.

Case No. 4:22-cv-02502-YGR

**PLAINTIFF'S RESPONSE TO  
ORDER TO SHOW CAUSE RE FAILURE  
TO SERVE PURSUANT TO FED. R CIV.  
PROC. 4(M)**

Plaintiff Robert A. Slovak ("Slovak"), individually and as the duly appointed Trustee for the Slovak Family 1991 Trust ("Trust"), by and through his undersigned counsel, respectfully responds to the Court's July 26, 2022 *Order to Show Cause Re Failure To Serve Pursuant to Fed. R Civ. Proc. 4(m)* (Dkt. No. 15), as follows:

Defendant Lynn Wheeler ("Wheeler"), also known from time to time as Lynn Slovak, Lynn Dorrington, Lynn Reardon, and/or Lynn Arlidge, was served with the summons and complaint on May

20, 2022. (Dkt. No. 16.) Wheeler did not respond to Slovak's complaint and, consequently, Slovak filed a Request for Entry of Clerk's Entry of Default against Wheeler on July 29, 2022. (Dkt. No. 17.) The Clerk's Default against Wheeler, aka Lynn Slovak, Lynn Dorrington, Lynn Reardon, and Lynn Arlidge, was entered on August 1, 2022. (Dkt. No. 18.)

Wheeler, a citizen of the United Kingdom of Great Britain and Northern Ireland, often changes her surnames as well as her domestic and international places of residence. Wheeler was located and served with the summons and complaint in New Zealand, in compliance with Federal Rule of Civil Procedure 4(f), as Rule 4(m) "does not apply to service in a foreign country under Rule 4(f)." Wheeler was served as prescribed by the Federal Rules of Civil Procedure and New Zealand's law for service in New Zealand in an action in its courts of general jurisdiction. (See Fed. R. Civ. Proc. 4(f)(2)(A); New Zealand High Court Rule 2016, Part 6.1.)<sup>1</sup>

Before and since service of the summons and complaint was effected on Wheeler, Slovak has been diligently monitoring Wheeler's movements in order to ascertain her physical location as well as the whereabouts of certain valuable assets, including cash, precious metals and real estate, which she misappropriated and over which she exercised dominion and control and to which Slovak and/or the Trust are legally entitled. Those assets are identified in paragraph 13 and exhibit 4 of Slovak's complaint. (Dkt. No. 1-4.)

Respectfully submitted,

*/s/ Scott D. Johannessen*

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*/s/ Tory M. Pankopf*

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TRUST

<sup>1</sup> See <https://www.legislation.govt.nz/regulation/public/2016/0225/latest/DLM6951503.html>

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document filed through the Court's ECF system will be sent electronically to the registered participants as identified on the Court's Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated: August 1, 2022.

/s/ Scott D. Johannessen

Scott D. Johannessen